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JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

PACIFIC SUNWEAR OF
CALIFORNIA, INC., a California
corporation,

Plaintiff,

v.

KIRA PLASTININA STYLE, LTD., a
Russian limited liability entity, KP
FASHION COMPANY, a Delaware
corporation, and PINK SQUARE
COMPANY, a Delaware corporation,

Defendants.

Case No. SACV 08-1141-JVS (ANx)

**ORDER OF DISMISSAL OF
ACTION WITH PREJUDICE AS TO
DEFENDANTS KIRA PLASTININA
STYLE, LTD. AND PINK SQUARE
COMPANY**

Hon. James V. Selna

AND RELATED COUNTERCLAIMS

Pursuant to the fully executed May 2010 Settlement Agreement and Mutual Release (the "Trademark Settlement Agreement") reached between plaintiff and counterdefendant Pacific Sunwear of California, Inc. ("Pac Sun"), on the one hand, and defendant and counterclaimant Kira Plastinina Style, Ltd. and defendant Pink Square Company (collectively "Kira Plastinina Style"), on the other hand, the Stipulation of Dismissal of Action with Prejudice filed in the above-captioned action, and Federal Rule of Civil Procedure 41(a)(1)(A)(ii), this Action is hereby dismissed with prejudice as to Kira Plastinina Style, Ltd. and Pink Square

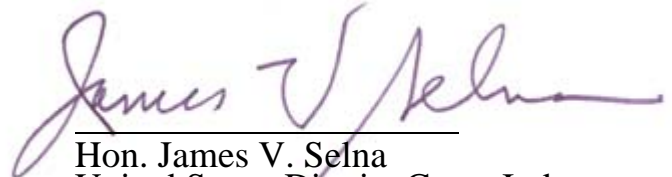
1 Company.

2 The Preliminary Injunction entered in this case on April 16, 2009 is hereby
3 vacated as against Kira Plastinina Style, Ltd., Pink Square Company, and their
4 employees, agents affiliates, distributors, dealers, attorneys, successors and/or
5 assigns, and all persons in active concert or participation with any of them, except
6 that it shall remain in effect as against KP Fashion Company.

7 Jurisdiction is retained for the purpose of enabling any party to the
8 Stipulation of Dismissal of Action with Prejudice to apply to the Court at any
9 time, subject to the provisions of Paragraphs 9 through 11 of the Trademark
10 Settlement Agreement, for such further orders and directions as may be necessary
11 and appropriate for the construction, carrying out, enforcement of, and/or the
12 punishment of violations of that agreement.

13
14 IT IS SO ORDERED.

15 DATED: May 25, 2010


16 Hon. James V. Selna
17 United States District Court Judge

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PROOF OF SERVICE AND CERTIFICATION

I, Patricia L. Johnson, declare as follows:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 2029 Century Park East, Suite 4000, Los Angeles, California 90067-3026.

☐ (For messenger) my business address is _____.

On May 25, 2010, I served the foregoing document(s) described as

**[PROPOSED] ORDER OF DISMISSAL OF ACTION WITH PREJUDICE AS
TO DEFENDANTS KIRA PLASTININA STYLE, LTD. AND PINK SQUARE
COMPANY**

on ALL INTERESTED PARTIES in this action

☒ by placing a true copy thereof in a sealed envelope (except when served via fax or email) addressed to the parties on the attached Service List

☐ by placing the original(s) enclosed in a sealed envelope (except when served via fax or email) addressed as follows:

On the above date:

☒ (BY ☒ U.S. MAIL/☐ EXPRESS MAIL) The sealed envelope with postage thereon fully prepaid was placed for collection and mailing following ordinary business practices. I am aware that on motion of the party served, service is presumed invalid if the postage cancellation date or postage meter date on the envelope is more than one day after the date of deposit for mailing set forth in this declaration. I am readily familiar with Gibson, Dunn & Crutcher LLP's practice for collection and processing of documents for mailing with the United States Postal Service and that the documents are deposited with the United States Postal Service the same day as the day of collection in the ordinary course of business.

☐ (BY ☒ ELECTRONIC MAIL) By attaching a PDF of the same to an electronic mail sent to the e-mail address listed below, according to the parties' agreement

☒ (BY CM/ECF NOTICE OF ELECTRONIC FILING) I caused said document(s) to be served by means of this Court's electronic transmission of the Notice of Electronic Filing through the Court's transmission facilities, to the parties and/or counsel who are registered CM/ECF Users set forth in the service listed obtained from this Court.

☐ (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee(s) listed on the attached Service List.

☒ (FEDERAL ONLY) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

I hereby certify that the above document was printed on recycled paper.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 25, 2010, at Los Angeles, California.

Patricia L. Johnson

CASE: Pacific Sunwear of California, Inc. v. Kira Plastinina Style, Ltd., et al.
USDC CASE NO.: SACV08-1141 JVS (ANx)

SERVICE LIST

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Counsel for John S. Pereira (Bankruptcy Trustee)

Appointed in USBC, Case No. 08-B-15233 ALG In Re: KP Fashion Company

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